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IAB # SH 2326539

INDICATING DEPUTY MELGOZA'S SHOOTING POSITIONS

E: CRIME LAB DIAGRAM OF [redacted] NORWALK BOULEVARD

INDICATING DEPUTY CHESHIER'S SHOOTING POSITIONS

MISCELLANEOUS DOCUMENTS

ADMINISTRATIVE RIGHTS FORMS FOR DEPUTIES GONZALEZ, MELGOZA AND CHESHIER

DEPUTY INVOLVED SHOOTING CHIEF'S MEMO

WEATHER ALMANAC REPORT, WHITTIER CALIFORNIA FOR DECEMBER 22, 2012

Los Angeles County Sheriff's Department

Officer Involved Shooting

Report Date: 12/23/12	Bureau/Station/Facility: Special Enforcement Bureau	Admin. Invest.? ☐	Hit? ☑

Incident Information

URN: 012-10067-1578-013	Date: 12/23/12 Time: 0701 hours
City or Station: Unincorporated Whittier	Nature of Incident: A male and female suspect wanted for shooting at Whittier Police Officers barricaded themselves in a garage. The female suspect was arrested, the male suspected exited with a gun and was shot.
Location: [redacted] Norwalk Boulevard	

Location Type (check one or more):
- ☐ Backyard
- ☐ Beach
- ☐ Business
- ☐ Freeway
- ☐ Industrial
- ☐ Park
- ☐ Parking Lot
- ☑ Residence
- ☐ Rural
- ☐ School
- ☐ Street
- Other:

Lighting (check only one):
- ☑ Darkness
- ☐ Daylight
- ☐ Other
- ☐ Street Lights

Weather (circle only one):
- ☐ Clear
- ☑ Cloudy
- ☐ Fog
- ☑ Rain

Distance: 15 yards

Total # of Shots Fired by Deputy: 5

Total # of Shots Fired by Suspect: 3

Incident Type (check one or more):
- ☐ Accidental
- ☑ Armed Person
- ☑ Fleeing Suspect
- ☐ Foot Pursuit
- ☐ Gun Take Away
- ☐ Moving Vehicle
- ☐ Sniper/Ambush
- ☐ Startle
- ☐ Struggle Involved
- ☐ Traffic Stop
- ☐ Unarmed Person
- ☐ Unintentional
- ☐ Vehicle Pursuit
- ☐ Warrant Service
- ☐ Warning Shot
- Other:

Initiated by (check only one):
- ☐ Arrest Warrant
- ☐ Call
- ☑ Observation
- ☐ One Person Unit
- ☐ Other
- ☐ Search Warrant
- ☐ Two Person Unit

Prior Activity (check only one):
- ☐ Detective
- ☐ Inmate Transport
- ☐ Other
- ☑ Routine Patrol

Aero Unit? ☑ Canine Unit? ☑

Employee Witnesses

Employee #	Last Name	First Name	M.I.	ShiftTime (check only one)	ShiftType (check only one)
[redacted]	Melgoza	Jesse	C	☑ EM ☐ PM ☐ Day	☑ Regular ☐ Overtime ☐ Off Duty
[redacted]	Edwards	Darell	A	☑ EM ☐ PM ☐ Day	☑ Regular ☐ Overtime ☐ Off Duty
[redacted]	Wheeler	James	A	☑ EM ☐ PM ☐ Day	☑ Regular ☐ Overtime ☐ Off Duty

Non-Employee Witnesses

Last Name		First Name		M.I.
Street Address	City	Zip Code	Work Ph	Home Ph
Last Name		First Name		M.I.
Street Address	City	Zip Code	Work Ph	Home Ph
Last Name		First Name		M.I.
Street Address	City	Zip Code	Work Ph	Home Ph

Supervisors

Employee #	Last Name	First Name	M.I.	(check one or more)
[redacted]	Vera	Eliezer		☑ On Duty ☐ Present during shooting ☐ Witness to shooting ☐ Involved in shooting
[redacted]	Williams	Joseph	J	☑ On Duty ☑ Present during shooting ☐ Witness to shooting ☐ Involved in shooting

Watch Sergeant

Employee #	Last Name	First Name	M.I.
[redacted]	Geske	Sean	M

Watch Commander

Employee #	Last Name	First Name	M.I.
[redacted]	[redacted]	[redacted]	[redacted]

PSTD Use Only
SH # 2326539

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See Reverse

Officer Involved Shooting

URN: 012-10067-1578-013

Rollout Information

Arrival Date	Arrival Time	Date Submitted	Date of Recommendation
12/23/12	0830 hours	12/24/12	

Employee #	Last Name	First Name	M.I.
[redacted]	Valencia	Dominic	J
[redacted]	Reyes	Mark	A
[redacted]	Allen	Victor	M

Shooting / Force Information

Method

(AW) Arwen
(BC) Baton:(Control)
(BI) Baton:(Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds:(Control Techniques)
(TT) Control Holds:(Team Takedown)
(TD) Control Holds:(Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device:Hobble (Legs Only)
(TP) Restraint Device:Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hand
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(SH) Shoulder
(WR) Wrist

Brand

(AK) AK-47
(BN) Benelli
(BR) Beretta
(BW) Browning
(CH) Charter Arms
(CO) Colt
(DA) Davis Industries
(GL) Glock
(HA) Harrington & Richardson
(HI) Hi Standard
(HK) H & K
(IT) Ithica
(IV) Iver Johnson
(JE) Jennings
(LO) Lorcin
(LU) Luger
(MA) Marlin
(MO) Mossberg
(NC) NCI aka SKS
(NA) North American
(NO) Norinco
(RA) Raven
(RM) Remington
(RG) RG
(RI) RGI
(RO) Rossi
(SW) Smith & Wesson
(SR) Sturm Ruger
(SS) SIG Sauer
(ST) Sterling
(TA) Taurus
(WE) Weatherby
(WN) Winchester
(US) US Government
(YY) Handmade (Inmate)
(XX) Homemade (Non-Inmate)
(ZZ) Other Brand

Caliber

(9) 9 mm
(10) 10 mm
(12) 12 guage
(20) 20 guage
(21) .22-250
(22) .22 caliber
(23) .223 caliber
(24) .243 caliber
(25) .25 caliber
(30) .308 caliber
(35) .357 caliber
(36) 30-60 caliber
(38) .38 caliber
(40) .40 caliber
(41) .410 guage
(44) .44 caliber
(45) .45 caliber
(50) 50 mm
(SL) Slug
(WW) Other caliber

FORCE APPLIED *(one code per block)*

Used By (E# or S#)	Used Against (E# or S#)	Method (Code)	Brand (Code)	Caliber (Code)	Authorized Weapon? (Y/N)	Authorized Ammunition? (Y/N)	Type of Injury (Code)	Body Part (Code)
S1	E1	FH	SR	9			NN	
E1	S1	FR	CO	23	Y	Y	DH	AD

SH-R-438A (rev. 04/18/13)

See Front Side

Officer Involved Shooting
Involved Employee Information

URN: 012-10067-1578-013

Involved Employee

E 1

Employee # [redacted]	Last Name: Cheshier	First Name: Casey	M.I.: R
Sex: M Race: W	Rank: Deputy Sheriff, B-1	Unit Assignment: SEB	Work Assignment (Unit #, Module, etc.): Long Gun, Gold Team
ShiftTime (*circle only one*): ☑ EM ☐ PM ☐ Day	ShiftType (*circle only one*): ☑ Regular ☐ Overtime ☐ Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case # Interviewed? ☐
Hrs of sleep prior to shooting: 7	Duty Time (hrs): [redacted]	Clothing (*circle only one*): ☐ Plain Clothes no Vest ☐ Plain Clothes w/ Vest ☐ Raid Jacket no Vest ☐ Raid Jacket w/ Vest ☐ Uniform no Vest ☑ Uniform w/ Vest	Other Factors:
Age: [redacted] Height: Weight:			
Range Qualification Date: [redacted]	PPC Qualification Date: [redacted]	Laser Training Date: [redacted]	
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted]	Certification Unit: [redacted]	Prior Shootings? ☑ Number of Prior Shootings: 1 Directed Force: [redacted]
Weapons Fired Brand: Colt M-16A2 Caliber 5.56 # Shots 5		Weapons Fired Brand: Caliber # Shots	
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I. [redacted]
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I. [redacted]

E __

Employee #	Last Name	First Name	M.I.
Sex: Race:	Rank:	Unit Assignment:	Work Assignment (Unit #, Module, etc.):
ShiftTime (*circle only one*): ☐ EM ☐ PM ☐ Day	ShiftType (*circle only one*): ☐ Regular ☐ Overtime ☐ Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case # Interviewed? ☐
Hrs of sleep prior to shooting:	Duty Time (hrs):	Clothing (*circle only one*): ☐ Plain Clothes no Vest ☐ Plain Clothes w/ Vest ☐ Raid Jacket no Vest ☐ Raid Jacket w/ Vest ☐ Uniform no Vest ☐ Uniform w/ Vest	Other Factors:
Age: Height: Weight:			
Range Qualification Date:	PPC Qualification Date:	Laser Training Date:	
Certified with Weapon Used? ☐	Patrol Certification? ☐	Certification Unit:	Prior Shootings? ☐ Number of Prior Shootings: Directed Force: ☐
Weapons Fired Brand: Caliber # Shots		Weapons Fired Brand: Caliber # Shots	
Field Training Officer Emp #	Last Name	First Name	M.I.
Field Training Officer Emp #	Last Name	First Name	M.I.

E __

Employee #	Last Name	First Name	M.I.
Sex: Race:	Rank:	Unit Assignment:	Work Assignment (Unit #, Module, etc.):
ShiftTime (*circle only one*): ☐ EM ☐ PM ☐ Day	ShiftType (*circle only one*): ☐ Regular ☐ Overtime ☐ Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case # Interviewed? ☐
Hrs of sleep prior to shooting:	Duty Time (hrs):	Clothing (*circle only one*): ☐ Plain Clothes no Vest ☐ Plain Clothes w/ Vest ☐ Raid Jacket no Vest ☐ Raid Jacket w/ Vest ☐ Uniform no Vest ☐ Uniform w/ Vest	Other Factors:
Age: Height: Weight:			
Range Qualification Date:	PPC Qualification Date:	Laser Training Date:	
Certified with Weapon Used? ☐	Patrol Certification? ☐	Certification Unit:	Prior Shootings? ☐ Number of Prior Shootings: Directed Force: ☐
Weapons Fired Brand: Caliber # Shots		Weapons Fired Brand: Caliber # Shots	
Field Training Officer Emp #	Last Name	First Name	M.I.
Field Training Officer Emp #	Last Name	First Name	M.I.

Officer Involved Shooting
Suspect Information

Suspect Information

S 1

Last Name: Shoop		First Name: Joshua	M.I. M
AKA Last Name:		First Name:	M.I.
Sex: M Race: W	Street Address: [redacted]	City [redacted]	[redacted] Zip [redacted]
Work Phone:	Home Phone:	Social Secu[redacted]	Driver's L[redacted]
Age: 35 D.O.B. 05/10/77	Height: 604 Weight: 218	FBI # [redacted]	CII #
Booking #	Primary Charge: Deceased	Secondary Charge:	
Coroner Case? ☑	Coroner Case # 2012-08499	Intoxication/Drug Usage? ☑	Substance Used: Methanphetamine
Armed? ☑	Apprehended? ☐	Mental Illness? ☐	Criminal History? [redacted]
Vehicle Make: Jeep (stolen vehicle)		Model: Liberty	Year: 2007

S 2

Last Name: Channel		First Name: Amanda	M.I. K
AKA Last Name:		First Name:	M.I.
Sex: F Race: W	Street Address: [redacted]	City [redacted]	[redacted] Zip [redacted]
Work Phone:	Home Phone:	Social Secu[redacted]	Driver's [redacted]
Age: 24 D.O.B. 04/29/88	Height: 504 Weight: 135	FBI # [redacted]	CII #
Booking # 3408881	Primary Charge: 10851 (a) CVC	Secondary Charge:	2800.2 (a) CVC
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☑	Mental Illness? ☐	Criminal History? [redacted]
Vehicle Make: Jeep (stolen vehicle)		Model: Liberty	Year: 2007

S

Last Name:		First Name:	M.I.
AKA Last Name:		First Name:	M.I.
Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

S

Last Name:		First Name:	M.I.
AKA Last Name:		First Name:	M.I.
Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

See Other Side

SUPPLEMENTAL EMPLOYEE WITNESSES
Los Angeles County Sheriff's Department

Employee Witnesses

Last Name	First Name	M.I.	Street Address	Zip Code	Work Ph	Home Ph
Francois, #[redacted]	Ervin		1060 N. Eastern Avenue Los Angeles	90063	323-881-7800	
Propster, #[redacted]	Steven	C	1060 N. Eastern Avenue Los Angeles	90063	323-881-7800	
Pratt, #[redacted]	Steve	R	1060 N. Eastern Avenue Los Angeles	90063	323-881-7800	

COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT

INVESTIGATIVE SUMMARY

Incident:	On-Duty, Deputy Involved, Hit Shooting
IAB File:	SH2326539
Date / Time:	Sunday, December 23, 2012, 0637 hours
Location:	[redacted] Norwalk Boulevard, Whittier (unincorporated area)
Involved Deputy:	Deputy Casey Cheshier #[redacted] Special Enforcement Bureau
Suspect:	Shoop, Joshua Micah, M/W 35 DOB 05/10/77 (Deceased)

Summary
On September 5, 2013, the Los Angeles County District Attorney's Office concluded a review of the fatal shooting of Suspect Joshua Shoop by Los Angeles County Deputy Sheriff Casey Cheshier. Deputy District Attorney Deborah A. Delport's letter indicated Deputy Cheshier acted lawfully in self-defense and in the defense of others (see Exhibit B).

On December 22, 2012 at approximately 2342 hours, uniformed Whittier Police Officer [redacted] initiated a vehicle pursuit of a black Jeep Liberty with a [redacted] license plate of [redacted] The vehicle pursuit was initiated at 11500 Telegraph Road in the City of Santa Fe Springs. According to the Whittier Police Officer's written report, the driver of the Jeep Liberty appeared to be a woman. The front passenger in the Jeep Liberty had the seat back fully reclined in an effort to hide from the Officer's view. The Whittier Police Department Officers continued pursuing the Jeep Liberty northbound on Pioneer Boulevard to Slauson Avenue. As the Jeep Liberty approached Slauson Avenue the Whittier Police Watch Commander ordered the pursuit terminated (see Exhibit A, page 5).

Whittier Police Officer [redacted] was the secondary unit in the vehicle pursuit. Once the pursuit was terminated he stopped his patrol car in the number two lane of northbound Pioneer Boulevard just north of Slauson Avenue. A Los Angeles County Deputy Sheriff patrol unit, later identified as Deputy Cuauhtemoc Gonzalez (152E/EM), pulled out of the Motel 6 parking lot located on the west side of Pioneer Boulevard and contacted Officer Balzano. Officer Balzano told Deputy Gonzalez the northbound vehicle (black Jeep Liberty) was just involved in a vehicle pursuit with Whittier Police. According to Officer Balzano's report, Deputy Gonzalez accelerated his patrol car northbound on Pioneer Boulevard

(see Exhibit A, page 11). Deputy Gonzalez located the black Jeep Liberty on Danby Avenue in the unincorporated area of Whittier. The Jeep Liberty turned eastbound on to the cul-de-sac area of Choisser Street. The Jeep Liberty accelerated through a wooden fence at the end of Choisser Street and came to rest in the middle of the street on Norwalk Boulevard.
After the Jeep Liberty stopped in the middle of Norwalk Boulevard, a male passenger exited the front passenger side of the vehicle with a semi-automatic pistol in his right hand. The male passenger then discharged one round from his firearm to the north and one round to the south. The driver exited the driver's side door with a pistol in her hand and also discharged one round form her firearm to the north and one round to the south. Deputy Gonzalez did not engage the suspects but remained on the cul-de-sac of Choisser Street just west of Norwalk Boulevard. Deputy Gonzalez broadcasted emergency radio traffic providing details about the fleeing suspects and began coordinating a containment.

The male passenger suspect then ran eastbound between the residence located at [redacted] and [redacted] Norwalk Boulevard. The suspect who was driving the vehicle followed the male suspect eastbound from Norwalk Boulevard. When both suspects fled from the Jeep Liberty, the description of the suspects provided by Deputy Gonzalez was two male adults (see transcripts of 152E/EM's initial radio traffic).

After both suspects fired their weapons northbound and southbound, two Whittier Police patrol units arrived at the Jeep Liberty. One Whittier Police unit came from the north on Norwalk Boulevard and one Whittier Police unit came from the south on Norwalk Boulevard. The suspects were firing their weapons at the responding Whittier Police Officers. No other vehicles other than the Whittier Police units were on Norwalk Boulevard when the suspects fired their weapons. The suspects fled into the neighborhood east of Norwalk Boulevard and south of Choisser Street.

Deputy Gonzalez, with the assistance of Whittier Police Officers, checked the Jeep Liberty for additional suspects. No additional suspects were located in the vehicle (see Exhibit A, page 13).

An initial containment of the area was set up by Pico Rivera Station units and Whittier Police Department. Aero Bureau aircraft, Special Enforcement Bureau Canine Teams, Special Enforcement Bureau Special Weapons Teams and additional patrol resources were called to the area to search for and apprehend the suspects. The incident command post was established on the east side of

Norwalk Boulevard at the Food For Less shopping center south of the shooting scene (7732 Norwalk Boulevard).

As sufficient Special Enforcement Bureau Canine Teams and Special Enforcement Bureau Special Weapons Teams arrived, units were assigned to search teams. Each search team consisted of one canine unit and several special weapons team members. Each search team was given an area to search in an effort to locate the suspects.
Each search team was directed by an Aero Bureau helicopter observer utilizing forward looking infrared radar equipment to identify possible suspect locations commonly referred to as "hot spots."

Several "hot spots" of concern were checked by the designated search teams and determined no suspects were present. A search team consisting of deputies Melgoza, Lavine, Reedy (K-9) and Sergeant Williams located abandoned, dry clothing in the alley located behind the residence near [redacted] Norwalk Boulevard. The clothing was dry despite the fact it had been raining earlier in the evening.

A search team consisting of deputies Cheshier, [redacted] Edwards, Stole (K-9) and Sergeant Cook began searching northbound from the command post on the east side of Norwalk Boulevard. Residences at [redacted] and [redacted] Norwalk Boulevard were searched and determined no suspects were present at the locations.

The search team continued north on Norwalk Boulevard and contacted the resident at [redacted] Norwalk Boulevard. The resident stated there was a detached garage in the backyard and there should not be anyone in it. The search team cleared the backyard area of any threats and moved toward the garage. The backyard had an in-ground swimming pool, devoid of water utilizing a larger area of the backyard (see Exhibit A, page 54). The canine handler assigned to the search team was concerned about releasing the dog off lead in the backyard due to the hazard of the empty swimming pool. The search team moved toward the garage and began to clear the potential threat. While the search team was at the garage, Deputy Cheshier checked the door on the "one" side. Deputy Cheshier noticed the door was tightly closed against the frame and had no play in the doorknob. Deputy Cheshier formed the opinion the door might have been held closed tightly by a suspect on the other side of the door.

Deputy Cheshier heard some voices from inside the garage then heard a male voice yell a statement with the word "kill" in it. It was at that time the search team discovered there were suspects in the garage. Sergeant Cook informed the

search team he saw a suspect inside the garage with a gun. Deputy [redacted] informed the team the suspect was "going to kill her" indicating he had a hostage inside the garage (see exhibit A page 55). The investigation later revealed the suspects in the garage were the two suspects who fled from the black Jeep Liberty. Initially, the search team believed the female being held by the male suspect was an uninvolved victim but she was later determined to be the female suspect. The search team moved away from the garage and established a hostage/barricaded suspect containment.

Deputy Cheshier went to the residence door of [redacted] Norwalk Boulevard located on the "four" side of the house. Although the citizens were aware of Deputy Cheshier's presence at the door, they did not answer. Deputy Cheshier went to the front door of the residence where he quickly accounted for all occupants, evacuated them from the house and confirmed there should not be anyone in the garage.

Deputy Chesier set up a tactical position inside the house looking toward the backyard garage "one-four" corner. Deputy Cheshier was armed with a Colt M-4 Commando .223 caliber rifle and was designated as the rifle position for the hostage/barricaded suspect incident. Deputy Cheshier was joined by Deputy Melgoza who was also equipped with a Colt M-4 Commando .223 caliber rifle. Deputy Cheshier realized his tactical shooting position was not ideal because the door on the one side of the garage could conceal the suspect until the door was completely open. The access door on the one side of the garage was an outward opening door that could have partially hidden a suspect or hostage putting the containment team at a tactical disadvantage. Deputy Cheshier relocated to the interior bedroom on the "two-three" corner of the residence.

Shortly after containing the garage, the suspect discharged one handgun round from the interior of the garage through the "four" side window. A few minutes later, a beer bottle was thrown from inside the garage through the "four" side window.

Deputy Melgoza set up a tactical shooting position in the living room/dining room area of the house. However, as the incident continued, Deputy Melgoza realized the position he was in did not provide adequate cover protection should a suspect engage him with gunfire. Deputy Melgoza left his shooting position in the living room and joined Deputy Cheshier in the bedroom located at the "two-three" corner. Deputy Melgoza was not able to set up a shooting position in the bedroom so he provided area protection for Deputy Cheshier and acted as his radio operator to relay important information to the containment team.

Approximately one hour into the incident, a female (Suspect Amanda K. Channel) exited the door on the "one" side of the garage. The female exited the garage and was directed to an awaiting arrest team where she was taken into custody. Suspect Channel was interrogated at the command post and confirmed the remaining male suspect (Joshua Shoop) in the garage was armed with a handgun and was hiding in the rafters.

The standoff with Suspect Shoop continued for several hours. During the incident, Suspect Shoop showed himself at the "four" side window while pointing a handgun at his chest and head. After this display, Suspect Shoop retreated into the garage out of view of the containment team. On several occasions throughout the incident, Suspect Shoop yelled statements such as his life is meaningless and not worth living.
Suspect Shoop racked the slide of the handgun he was holding and quickly exited the "one" side door of the garage. The suspect had the handgun in his right hand held at waist level pointing at the "four" side of the main house. Suspect Shoop began turning to the south visually seeking the location of containment personnel. Fearing for his safety and the safety of the containment team members, Deputy Cheshier engaged Suspect Shoop by firing two short burst of automatic rifle fire from his M-4 Commando (see Exhibit A page 58; Deputy Chesier's Homicide transcript, page 25 and Deputy Cheshier's Internal Affairs Bureau transcript, page 20 and 24). Suspect Shoop was struck by two rounds and immediately fell to the ground on the walkway in front of the one side door of the garage.

The arrest team moved forward to Suspect Shoop's location to take him into custody. Once the area was secured, Special Enforcement Bureau's Emergency Services Detail paramedics were immediately summoned to provide medical treatment to Suspect Shoop. The handgun possessed by Suspect Shoop was lying next to him with the hammer cocked when the arrest team personnel approached. Due to the hazard presented by the handgun's location, it was rendered safe and moved to the walkway below the window on the "four" side of the garage by Deputy James Wheeler (see Exhibit A page 68).

Suspect Shoop was pronounced dead at the scene at 0701 hours. Homicide Investigators responded and conducted a Deputy Involved Shooting Investigation.

<u>Involved Personnel</u>
Deputy Casey Cheshier #[redacted] Special Enforcement Bureau, Gold Team

Work History
Department Hire Date: 07/20/2000
Date Assigned to Patrol: 11/15/2006
Date Completed Patrol Training: [redacted]
Date Assigned to S.E.B. 05/22/2011
Prior Shooting Incidents: 5/06/2009, Fleeing Suspect/Foot Pursuit

Suspects
Shoop, Joshua MW/35 (DOB 05/10/77)
Deceased

Criminal History: [redacted]



Channel, Amanda FW/24 (DOB 04/29/88)
Booking Number 3408881

Criminal History: [redacted]

Criminal Complaint
On December 27, 2012, The Los Angeles County District Attorney's Office filed one felony count of Unlawful Driving or Taking of a Vehicle, 10851 (a) California Vehicle Code, and one felony count of Evading an Officer with Willful Disregard, 2800.2 (a) California Vehicle Code against Suspect Channel. The charges are detailed in complaint VA128028 (see Exhibit A, page 1). On January 18, 2013, Suspect Channel pled guilty to the charge of Evading a Police Officer and was sentenced to sixteen months of state prison (see Exhibit A, page 79).

Injuries
Suspect Shoop sustained two gunshot wounds to the left abdomen (see Exhibit A, page 194). No force was used in the arrest of Suspect Channel and she did not sustain any injuries in the incident. No deputies were injured.

Physical Evidence
All physical evidence was located and collected by Homicide Bureau Investigators and Scientific Services Bureau personnel. For descriptions of the evidence collected, where it was located, photographs of the scene and the

crime scene sketch, refer to the Homicide Investigation Book (Exhibit A, pages 85, 107 and 221).

Investigators Observations
Nothing observed.

Weapon used by Deputy Cheshir
Department issued Colt M4, Close Quarters Combat Carbine Assault Rifle, caliber .223 (5.56 NATO) fully automatic and semi-automatic selections, rifle serial # [redacted] thirty round magazine, Leupold Mark 4 CQ/T 1-3 X 14 mm tactical scope, scope serial # [redacted] and Department issued .223 ammunition. Refer to the Scientific Services report contained in the Homicide Investigation Book (Exhibit A, Page 215).

Weapon used by Suspect Shoop
Ruger, Model P89, 9mm caliber, semi-automatic, stainless steel finish pistol, serial number [redacted] The Ruger P89 was stolen from [redacted] home located in [redacted] during a burglary (see Exhibit A pages 82 and 137).

Property Damage
Property damage is described in Exhibit A, page 89.

Criminal Investigators
Homicide Sergeant Robert Martindale
Homicide Detective Quilmes Rodriguez
Homicide Sergeant William Marsh
Homicide Sergeant Helen Ewell
Homicide Sergeant Michael Rodriguez
Homicide Detective Gary Sica
Homicide Detective Jonas Shipe
Homicide Detective Dominic Recchia

Lighting and Weather Conditions
The shooting occurred during sunrise. The weather was overcast, cloudy and damp (see weather report summary in miscellaneous documents). The backyard where the shooting occurred was dark and not illuminated by any existing lights. Illumination of the backyard location was provided by Aero Bureau airship unit and containment personnel.

Involved and Witness Deputy Interview

The following interview summaries were based on statements provided by the witnesses during audio recorded interviews. For complete detailed statements, refer to the digital audio recordings or transcripts of the interview included in this investigation.

Deputy Cuauhtemoc Gonzalez
On December 22, 2012, Deputy Gonzalez was assigned to Pico Rivera early morning shift as 152E for the December 23, 2012 shift. At approximately 2348 hours on December 22, 2012, Deputy Gonzalez was in his radio car facing east in the Motel 6 parking lot located at 8221 South Pioneer Boulevard in the unincorporated area of Whittier.

Deputy Gonzalez looked south from his location on Pioneer Boulevard toward Slauson Avenue and noticed two to four marked Whittier Police cars pursuing a black Jeep that was traveling northbound on Pioneer Boulevard. Deputy Gonzalez saw the Whittier Police units terminate their pursuit northbound Pioneer Boulevard at approximately Waddell Street. The suspect vehicle, black Jeep, continued northbound Pioneer Boulevard and out of view.

The Whittier Police units stopped on Pioneer Boulevard and were contacted by Deputy Gonzalez. The Whittier Police Officer told Deputy Gonzalez their pursuit of the black Jeep was cancelled by their Watch Commander. The Whittier Police Officers also told Deputy Gonzalez they were pursuing the black Jeep for a failure to yield and believed it was stolen. However, they were unable to confirm any wants or warrants on the black Jeep.

Deputy Gonzalez drove northbound on Pioneer Boulevard in his radio car in an effort to locate the black Jeep and establish independent probable cause for law enforcement action.

Deputy Gonzalez turned right on Danby Avenue because he had noticed smoke in the area. Deputy Gonzalez indicated he was familiar with the area and knew the black Jeep either entered the 605 freeway northbound, turned right onto Saragossa Street or turned right onto Danby Avenue. Once he noticed the smoke in the area, he concluded it was possible the black Jeep traveled onto Danby Avenue.

While Deputy Gonzalez was traveling eastbound on Danby Avenue, he noticed the black Jeep where Danby Avenue turns into a southbound street. Utilizing a Google map printout of the area, Deputy Gonzalez indicated the area, with a red marker, where he saw the black Jeep. Utilizing the same Google map printout,

Deputy Gonzalez indicated the area, with a blue marker, where his radio car was when he saw the black Jeep (see Exhibit C).

The black Jeep was traveling on Danby Avenue at approximately five to ten miles per hour emitting smoke. Deputy Gonzalez conducted a check of the black Jeep's [redacted] vehicle license plate of [redacted] over the dispatch channel while the vehicle was turning off of southbound Danby Avenue to eastbound Choisser Street (see Exhibit C).

While Deputy Gonzalez was behind the black Jeep he did not utilize any police lighting equipment such as the radio car spot lights, forward facing overhead red and blue lights, rear facing amber lights or any forward facing white take down lights. Deputy Gonzalez said he was traveling behind the black Jeep with the radio car's headlights in the high beam setting. Deputy Gonzalez was not attempting to overtake the black Jeep but was traveling at a slower speed.

The black Jeep proceeded to travel down Choisser Street until it arrived at Milna Avenue. The black Jeep veered left remaining on Choisser Street into the cul-de-sac. The return information on the [redacted] license plate inquiry indicated there were no wants or warrants on the vehicle.

The black Jeep continued to the end of the cul-de-sac stopping about a car length away from the dead end curb line. While still in the radio car, Deputy Gonzalez was at Choisser Street and Milna Avenue when he turned on the spot light in an effort to illuminate the interior of the black Jeep (see Exhibit C). As Deputy Gonzalez turned on the spot light, the black Jeep accelerated over the curb and through a wooden fence at the end of the cul-de-sac eventually coming to rest in the middle of the street on Norwalk Boulevard.

The passenger exited the black Jeep and discharged one handgun round to the north on Norwalk Boulevard and one handgun round south on Norwalk Boulevard. The driver also exited the black Jeep and discharged one handgun round north on Norwalk Boulevard. Both suspect then fled eastbound into the residential neighborhood on the east side of Norwalk Boulevard. Moments later, one Whittier Police car arrived at the black Jeep on Norwalk Boulevard from the north and one Whittier Police car arrive at the black Jeep from the south.

Deputy Jesse Melgoza
On December 22, 2012, Deputy Melgoza, assigned to Special Enforcement Bureau's Special Weapons Team, received a telephone call indicating he needed to respond to the command post at Norwalk Boulevard and Washington

Boulevard in the unincorporated area of Whittier. Deputy Melgoza was told a Pico Rivera deputy observed two suspects discharge firearms and flee into the surrounding neighborhood.

After the initial briefing was conducted, Deputy Melgoza was assigned to a search team consisting of Special Enforcement Bureau Deputies Levine, Reedy (K9) and Sergeant Joe Williams. The search team was responsible for searching areas identified by Aero Bureau patrol airship as seen from the forward looking infrared radar that were believed to be indications of the suspects. Deputy Melgoza's assigned search team began searching some of the houses located on the east side of the street on Norwalk Boulevard just north of the primary location of [redacted] Norwalk Boulevard near Choisser Street. Deputy Melgoza's search team began searching the alley east of Norwalk Boulevard and south of Choisser Street when Deputy Cheshier's search team indicated they had located the suspects at [redacted] Norwalk Boulevard in the garage. Deputy Cheshier's search team requested additional Special Enforcement Bureau resources to respond to the location and assist with containment duties. Deputy Melgoza responded to [redacted] Norwalk Boulevard and assisted with containment duties.

Deputy Melgoza was armed with a Colt M4 Commando .223 caliber full auto select fire rifle. Deputy Melgoza initially set up a shooting/containment position inside the residence at [redacted] Norwalk Boulevard looking at the garage "one-four" corner (see Exhibit D). Deputy Melgoza was able to set up in the initial position and place a shield in front of him as he deployed his M4 rifle. However, due to the size of the bay window, the position did not provide good cover thus exposing him to potential suspect gun fire. Deputy Melgoza moved from his initial position to the interior "two-three" side bedroom where Deputy Cheshier was set up in a shooting position (see Exhibit D).

Due to the limited field of view of the target area from the interior "two-three" bedroom and the fact that Deputy Cheshier was already in a shooting position, Deputy Melgoza was not able to set up an effective shooting position from the bedroom. Deputy Melgoza took responsibility for protecting and assisting Deputy Cheshier's shooting position and acted as "long rifle one" radio operator to provide information to other containment position personnel.

After Deputy Melgoza moved into the "two-three" bedroom position, a female suspect exited the rear detached garage and was taken into custody without incident. Deputy Melgoza continued to assist Deputy Cheshier from the "two-three" bedroom for the duration of the incident.

Sometime after the female suspect was taken into custody, Deputy Cheshier communicated with Deputy Melgoza the door of the garage was opening, the suspect was coming out and he saw a gun (see Deputy Melgoza's Internal Affairs Bureau interview transcript, page 10). Deputy Melgoza heard Deputy Cheshier fire his weapon and broadcasted the information over the radio.

After the shots were fired and the radio broadcast was completed, Deputy Melgoza was able to see the suspect falling to the ground on his stomach. Deputy Melgoza then advised the arrest team to approach the suspect and take him into custody. During the arrest team's approach, Deputy Cheshier continued to cover the suspect in the event the suspect initiated an addition threat. As the arrest team contacted the suspect, Deputy Cheshier no longer needed to cover the suspect with his weapon.

Deputies Melgoza and Cheshier returned to the command post for follow up deputy involved shooting investigation procedures.

Deputy Casey Cheshier

On December 22, 2012, Deputy Cheshier's Special Enforcement Bureau Team was assigned the on call duty. Deputy Cheshier and his team were paged and responded to the containment command post located at Norwalk Boulevard and Washington Boulevard in the unincorporated area of Whittier. The duties were to assist Special Enforcement Bureau Canine Teams with the search for a suspect.

Deputy Cheshier and his team were briefed Whittier Police Department terminated a vehicle pursuit wherein patrol deputies in the area located the vehicle in a residential neighborhood. As deputies approached the vehicle, it accelerated through a fence at the end of a cul-de-sac and came to rest in the middle of the street on Norwalk Boulevard.

Two male suspects exited the vehicle and discharged handgun fire in a north direction and south direction on Norwalk Boulevard. The suspects then fled into the neighborhood on the east side of Norwalk Boulevard. Deputy Cheshier was told the suspects were firing on two separate Whittier Police units that were approaching the suspect vehicle. One Whittier Police unit was approaching from the north and one from the south.

Deputy Cheshier was assigned to a search team consisting of a Special Enforcement Bureau Canine and handler along with other Special Enforcement Bureau Special Weapons Team members for tactical support. The containment

area was very large and addition Special Enforcement Bureau Canine Teams and Special Weapons Teams were called into the area to assist with the search.

Deputy Cheshier and the search team began searching the neighborhood north of the command post on Norwalk Boulevard on the east side of the street. Aero Bureau airship was directing search teams to hot spots as indicated on the forward looking infrared radar equipment.

Deputy Cheshier's search team approached [redacted] Norwalk Boulevard and contacted the residents. The residents told the team there was a detached garage in the back yard and no one was inside it. The search team cleared the backyard of any threats and began to clear the garage at [redacted] Norwalk Boulevard when they heard a male suspect's voice say something with the words "kill" in the statement. The suspect made another statement telling the search team to back off or he was going to kill her. As the search team formulated a safe tactical plan to move from the kill zone, Sergeant Cook, Special Enforcement Bureau Canine Sergeant, informed the team the suspect had a gun.

The team moved out of the kill zone and contained the garage. Deputy Cheshier contacted the residents in the house and evacuated them to the safety of the command post. Prior to evacuating the residents from the house, Deputy Cheshier confirmed everyone in the house was accounted for and no one was supposed to be in the rear garage. Special Enforcement Bureau personnel contained the garage and the house and began formulating a plan for a hostage situation.

Deputy Cheshier cleared the interior of the residence assisted by a Pico Rivera patrol deputy and set up a long gun shooting position in the kitchen/dining room area to cover the "one" side of the detached garage. Deputy Cheshier indicated his first and second shooting position on the crime lab diagram of [redacted] Norwalk Boulevard (see Exhibit E).

The first shooting position selected by Deputy Cheshier was a tactical disadvantage. The door on the "one" side of the garage was an outward opening door with the hinges on the south side of the door frame. The crime lab diagram incorrectly depicts this door as opening inward. If the suspect exited from the "one" side door with or without a hostage, the threat would have been concealed by the door until the door was mostly or completely opened. Special Enforcement Bureau Deputy Steve Pratt joined Deputy Cheshier in the house armed with a shotgun. The shotgun is not the best weapon for a hostage rescue operation so he was relieved by Deputy Melgoza who was armed with a Colt M-4

Commando .223 caliber rifle. Deputy Melgoza selected a shooting position in the living room area.
Deputy Cheshier advised Deputy Melgoza his shooting position does not provide a good view of the "one" side target area. Deputy Melgoza advised Deputy Cheshier the interior bedroom on the "two-three" corner gave him a good view of the "one" side of the garage. Deputy Cheshier moved to the bedroom on the "two-three" corner and set up a shooting position looking toward the "one" side of the detached garage.

After setting up his shooting position in the bedroom, the suspect fired a round through the "four" side window of the detached garage. Deputy Cheshier heard the round go off and it was confirmed over the radio the suspect fired the round.

After Deputy Cheshier was set up in the bedroom on the "two-three" corner, the door on the "one" side of the garage opened and a female suspect later identified as Amanda Channel emerged. Containment personnel gave her commands to move to an area where she was safety taken into custody. Suspect Channel was taken to the command post for intelligence purposes. Suspect Channel confirmed Suspect Shoop was the sole occupant in the garage and he was armed with a handgun.

As the standoff continued, Deputy Cheshier heard over the radio, Suspect Shoop showed himself at the "four" side window, pointed the gun at his abdomen and made statements that his life is worthless and he does not want to live.

After Suspect Channel was taken into custody, a radio update was made stating Suspect Shoop began asking for water. Containment personnel offered water to Suspect Shoop if he surrendered. Suspect Shoop continued to barricade himself in the garage.

Containment personnel were in the process of formulating a plan to deploy gas into the garage in an effort to force Suspect Shoop's surrender. Containment personnel announce over the radio Suspect Shoop pointed the gun to his head and had just cocked the hammer and was moving toward the "one" side of the detached garage.

The door on the "one" side of the detached garage opened and Suspect Shoop emerged with a handgun at his waistband level pointed directly at Deputy Cheshier. Suspect Shoop was beginning to face south with his handgun pointed in that direction when Deputy Cheshier fired two bursts from his Colt M-4 Commando rifle that was selected for fully automatic fire. The suspect went to

his hands and knees and Deputy Cheshier confirmed the weapon was no longer in the suspect's hand. Deputy Cheshier told Deputy Melgoza, who was standing next to him, (Long Rifle 1 Radio Operator) to tell the arrest team it was clear to approach the suspect. As the arrest team contacted the suspect, Deputy Cheshier placed his weapon's safety on because the responsibility of the suspect had been assumed by the arrest team.

Deputy Cheshier reported back to the command post for follow up deputy involved shooting investigation procedures.

COUNTY OF LOS ANGELES

SHERIFF'S DEPARTMENT

"A Tradition of Service"

OFFICE CORRESPONDENCE

Date: September 20, 2013
File No.: 012-10067-1576-013

FROM: WILLIAM J. MCSWEENEY, CHIEF
DETECTIVE DIVISION

TO: LEROY D. BACA
SHERIFF

SUBJECT: **LETTER OF OPINION ON DEPUTY INVOLVED SHOOTING**

The attached Letter of Opinion was received from the District Attorney's Office regarding the case involving Deputy Casey Cheshire #[redacted]

STATION: Pico Rivera (SEB Deputy)

DATE / TIME OF SHOOTING: December 23, 2012, 0637 Hours

SUSPECT: SHOOP, Josh
MW/35 (Deceased)

LOCATION: [redacted] Norwalk Boulevard
Whittier (Unincorporated Area)

DISTRICT ATTORNEY'S CONCLUSION:

The following is a verbatim statement from the District Attorney's Letter of Opinion.

"The evidence examined in this investigation shows that on December 22, 2012, Shoop was under the influence of methamphetamine, in possession of a stolen firearm, driving a stolen vehicle and a fugitive from the State of Colorado. If arrested, Shoop would have been sent back to state prison. Shoop feared a return to prison because he was certain that he would be killed by his former prison gang members. He first attempted to evade capture by shooting at Whittier Police Department officers on Norwalk Boulevard and SEB deputies while barricaded in the vacant garage. After being surrounded in the garage for more than an hour, Shoop said his life was worthless and pointed his handgun to his stomach and head. He also expressed a desire to shoot it out with the deputies rather than be taken into custody peacefully. When Shoop exited the garage with a semiautomatic firearm pointed at Cheshire, Cheshire reasonably feared for his life, and the lives of his fellow deputies, and responded with deadly force."

Noted (AW)

"We find that Deputy Casey Cheshire acted lawfully in self-defense and defense of others. We are therefore closing our file and will take no further action in this matter."

WJM:DJH:no



LOS ANGELES COUNTY DISTRICT ATTORNEY'S OFFICE
BUREAU OF FRAUD AND CORRUPTION PROSECUTIONS
JUSTICE SYSTEM INTEGRITY DIVISION

JACKIE LACEY • District Attorney
SHARON J. MATSUMOTO • Chief Deputy District Attorney
JOSEPH P. ESPOSITO • Assistant District Attorney

SCOTT K. GOODWIN • Director

September 5, 2013

Captain Duane Harris
Homicide Bureau
Los Angeles County Sheriff's Department
5747 Rickenbacker Road
Commerce, California 90040

Re: J.S.I.D. File # 12-0828
L.A.S.D. File # 012-10067-1576-013

Dear Captain Harris:

The Justice System Integrity Division of the Los Angeles County District Attorney's Office has completed its review of the December 23, 2012, fatal shooting of Joshua Shoop by Los Angeles County Sheriff Deputy Casey Cheshire. It is our conclusion that Deputy Cheshire acted in lawful self-defense and defense of others.

The District Attorney's Command Center was notified of the shooting on December 23, 2012, at approximately 8:00 a.m. The District Attorney Response Team, comprised of Deputy District Attorney Deborah Delport and District Attorney Supervising Investigator [redacted] responded and was given a briefing and a walk-through of the scene.

The following analysis is based on reports prepared by the Los Angeles County Sheriff's Department (LASD), submitted to this office by investigators with the LASD Homicide Bureau. Deputy Cheshire provided a voluntary statement which was considered as part of this analysis.

FACTUAL ANALYSIS

On December 22, 2012, at approximately 11:42 p.m., officers from the Whittier Police Department (WPD) became engaged in a short vehicular pursuit of a Jeep Liberty. The WPD officers were directed to abandon the pursuit by the watch commander shortly after it began. LASD Deputy Cuauhtemoc Gonzalez observed the end of the pursuit and saw the Jeep turn into a residential neighborhood. After speaking with the WPD officers, Gonzalez went in search of

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the Jeep.[1] Gonzalez located the Jeep at the end of a cul-de-sac. As he was watching the vehicle, it suddenly drove eastbound across the sidewalk and through a wooden fence that separated the cul-de-sac from Norwalk Boulevard. The Jeep came to rest in the center median.[2] A male, subsequently identified as Joshua Shoop, exited the front passenger door with a semiautomatic firearm in his right hand. He fired one round to the north on Norwalk Boulevard and one round to the south. At the same time, a female later identified as Amanda Channel, exited the driver's seat with a handgun and fired in a northbound direction. Gonzalez ran to the end of the cul-de-sac and within seconds observed WPD patrol vehicles approaching his location from the north and south. It appeared to Gonzalez that Shoop and Channel were firing at the approaching patrol cars. Shoop and Channel fled eastbound across Norwalk Boulevard and disappeared between residences on the east side of the street.

A perimeter was set up and LASD Special Enforcement Bureau (SEB) teams were deployed to search the neighborhood for the outstanding suspects.[3] The homeowners at [redacted] Norwalk Boulevard were contacted and advised deputies of an empty detached garage in the rear yard. Sergeant John Cook and Deputies Casey Cheshire, [redacted] Darell Edwards and K9 handler Deputy Stoll cleared the rear yard and surrounded the garage. As Cheshire attempted to open the pedestrian door to the garage, a male voice shouted, "Don't come in here! I got a hostage! I'm going to kill her!" Additional deputies responded to the location and took positions of cover in the rear yard. Cheshire evacuated the residents in the main house and set up a firing position at a bedroom window facing the garage door.

Approximately ten minutes later, a single gunshot was fired through a garage window. Profanities and the sound of items being thrown around could be heard in the garage. Deputies moved an armored vehicle (ARV) into the driveway in the rear yard.[4] Deputies heard a female voice say, "Please let me go." A short time later, Channel emerged from the garage door with her hands above her head. Edwards directed her into the alley where an arrest team waited. Channel was interrogated and confirmed that they were the suspects from the vehicle pursuit and that Shoop was armed and hiding in the rafters of the garage.

Multiple announcements were made over the ARV loudspeaker informing Shoop that if he surrendered peacefully he would not be harmed. Shoop became increasingly erratic and agitated. He yelled out, "What did I do?" and repeatedly asked for water. He threw a large beer bottle out the garage window. Cheshire and Edwards heard him say, "Fuck you. Let's shoot it out. My life is not worth anything." Deputy Ervin Francois, who was positioned outside the ARV, broadcasted that Shoop was alternatively pointing his handgun to his stomach and head. Shortly thereafter, deputies heard the "racking" sound of a slide on a semiautomatic firearm. Shoop

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[1] WPD officers advised Gonzalez that they were pursuing the Jeep for speeding and failure to yield.

[2] Investigators later determined that the Jeep had been stolen from Lakewood, Colorado on December 10, 2012.

[3] SEB deputies were given a briefing before searching. They were advised that a male and female suspect had fled into the residential neighborhood after firing at WPD officers at the termination of a vehicle pursuit.

[4] The backyard and driveway are accessible via an alleyway that runs along the rear of the property.

suddenly bolted out of the garage door with a semiautomatic firearm in his hand. Cheshire recalled what he observed at that moment:

> "Bang! The door flies open and he is coming out of the structure right at me with a gun in his hand, right about waist level, and pointing it right at me."

In fear for his life, and the lives of his fellow deputies, Cheshire fired five rounds from his department issued tactical assault rifle. Shoop fell to his stomach. An arrest team approached and handcuffed Shoop and the garage was cleared. Paramedics already staged in the alley rendered aid to Shoop who was pronounced dead at the scene.

A "Ruger P-89" 9mm semiautomatic firearm was recovered on the ground adjacent to Shoop.[5] The hammer was cocked back, but the weapon was unloaded and the magazine well was empty. A magazine loaded with ten live cartridges was located inside the garage. A fired 9mm cartridge casing consistent with the ammunition found in the magazine was also located in the garage.

Los Angeles County Deputy Medical Examiner Lawrence Nguyen, M.D., conducted an autopsy on November 26, 2012. Shoop sustained two fatal gunshot wounds to the chest. The toxicology report revealed that Shoop's blood and urine tested positive for the presence of methamphetamine.

Statement of Amanda Channel

Channel and Shoop were both wanted in the State of Colorado. Channel was wanted for a [redacted] and Shoop was wanted for [redacted] Channel and Shoop decided to flee from Colorado five days earlier. Shoop had joined the "211 Crew," a white supremacist prison gang while previously incarcerated in the Colorado State Prison. Shoop eventually dropped out of the gang and believed that a return to prison would be a death sentence.[6] The State of Colorado Department of Corrections officially classified Shoop as a "dropout" or defector from the "211 Crew" prison gang.

Shoop was attempting to siphon gas from another vehicle when officers first noticed them. Shoop brandished a gun and ordered Channel to drive the Jeep. In fear, Channel complied and fled from the police. Channel came to a stop at the dead end of a cul-de-sac and noticed a police car behind her. Shoop yelled, "Drive!" so Channel drove through a wooden fence onto Norwalk Boulevard. Shoop exited the Jeep and fired two rounds from his weapon. Channel adamantly denied being in possession of a firearm or firing one.[7] Channel followed Shoop as he ran

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[5] The firearm was reported stolen from Douglas County Colorado on December 11, 2012.

[6] Shoop's [redacted] all confirmed that he was extremely fearful of returning to prison and facing members of the "211 Crew" prison gang.

[7] A thorough search of all the crime scenes failed to locate a second firearm. Only two fired casings were recovered on Norwalk Boulevard where the Jeep came to a rest.

between several houses and hid in a vacant garage. The police quickly surrounded the garage and Shoop pointed his gun at her head and refused to let her leave. During the standoff, Shoop fired a round at the police through a garage window. Hours went by before Shoop finally allowed her to leave the garage.[8]

Channel pled guilty on January 18, 2013, in case VA128028, to a violation of Vehicle Code section 2800.2, felony evading, and was sentenced to 16 months state prison.

LEGAL ANALYSIS

California law permits the use of deadly force in self-defense or in defense of others if it reasonably appears to the person claiming the right of self-defense or the defense of others that he actually and reasonably believed he or others were in imminent danger of great bodily injury or death. People v. Williams (1977) 75 Cal.App.3d 731; People v. Ortiz (1923) 63 Cal.App. 662.

"The 'reasonableness' of a particular use of force must be judged from the perspective of a reasonable officer on the scene, rather than with the 20/20 vision of hindsight.... The calculus of reasonableness must embody allowance for the fact that police officers are often forced to make split-second judgments -- in circumstances that are tense, uncertain, and rapidly evolving -- about the amount of force that is necessary in a particular situation." *Graham v. Conner* (1989) 490 U.S. 386, 396-397.

"Where the peril is swift and imminent and the necessity for action immediate, the law does not weigh in too nice scales the conduct of the assailed and say that he shall not be justified in killing because he might have resorted to other means to secure his safety." *People v. Collins* (1961) 189 Cal.App. 2d 575, 589.

The test of whether the officer's actions were objectively reasonable is "highly deferential to the police officer's need to protect himself and others". *Munoz v. City of Union City* (2004) 120 Cal.App. 4th 1077, 1102.

CONCLUSION

The evidence examined in this investigation shows that on December 22, 2012, Shoop was under the influence of methamphetamine, in possession of a stolen firearm, driving a stolen vehicle and a [redacted] If arrested, Shoop would have been sent back to state prison. Shoop feared a return to prison because he was certain that he would be killed by his former prison gang members. He first attempted to evade capture by shooting at WPD officers on Norwalk Boulevard and SEB deputies while barricaded in the vacant garage. After being surrounded in the garage for more than an hour, Shoop said his life was worthless

[8] Approximately 1 hour and 15 minutes elapsed between the time deputies became aware of Shoop's presence in the detached garage and the deputy involved shooting.

and pointed his handgun to his stomach and head. He also expressed a desire to shoot it out with the deputies rather than be taken into custody peacefully. When Shoop exited the garage with a semiautomatic firearm pointed at Cheshire, Cheshire reasonably feared for his life, and the lives of his fellow deputies, and responded with deadly force.

We find that Deputy Casey Cheshire acted lawfully in self-defense and defense of others. We are therefore closing our file and will take no further action in this matter.

Very truly yours,

JACKIE LACEY
District Attorney

By Deborah A. Delport

DEBORAH A. DELPORT
Deputy District Attorney
(213) 974-3888

c: Deputy Casey Cheshire #[redacted]